



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**'08 MJ 8337**

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
Sergio Dominek BLAINE,  
Defendant.

} Magistrate Case No.:  
COMPLAINT FOR VIOLATION OF  
21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:  
That on or about April 21, 2008, within the Southern District of California,  
defendant Sergio Dominek BLAINE did knowingly and intentionally import  
approximately 47.30 kilograms (104.06 pounds) of marijuana a Schedule I Controlled  
Substance, into the United States from a place outside thereof, in violation of Title 21,  
United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement  
of Facts incorporated herein by reference.

  
\_\_\_\_\_  
Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 22ND,  
DAY OF April 2008.

  
\_\_\_\_\_  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA  
2 v.  
3 Sergio Dominek BLAINE

4 STATEMENT OF FACTS  
5

6 This statement of facts is based on the reports, documents, and notes furnished  
7 to US Immigration and Customs Enforcement Special Agent Rafael Silva.  
8

9 On April 21, 2008, at approximately 2104 hours, Sergio Dominek BLAINE  
10 entered the United States at the Calexico, California, East Port of Entry. Customs and  
11 Border Protection Officer (CBPO) Nicholson was manning primary. BLAINE gave a  
12 negative Customs declaration to CBPO Nicholson. CBPO Nicholson referred BLAINE  
13 and the vehicle to the secondary lot for further inspection.

14 In the Vehicle Secondary Lot, CBP Canine Enforcement Officer (CEO) Randolph  
15 was conducting a lot sweep with his assigned dog when the dog alerted to the vehicle  
16 BLAINE was driving. CBPO Cavazos took over the inspection of the vehicle. CBPO  
17 Cavazos received a negative Customs declaration from BLAINE.  
18

19 A subsequent inspection of the vehicle by CBPO Cavazos revealed 33 packages  
20 located inside the rear seat, rear seat backrest, doors and rear quarter panels of the  
21 vehicle. CBPO Cavazos probed a package and a sample of a green leafy substance  
22 was obtained, which field tested positive for marijuana. The 33 packages had a  
23 combined net weight of approximately 47.30 kilograms (104.06 pounds).  
24

25 BLAINE was placed under arrest and advised of his Constitutional Rights  
26 according to Miranda, which he acknowledged and waived, agreeing to answer  
27 questions. BLAINE denied knowledge of the marijuana found in the vehicle. BLAINE  
28 stated he has had possession of the vehicle since three days ago. BLAINE also stated  
29 he has driven the vehicle into the United States four or five times in the three days.  
BLAINE also stated he is the only person who has keys to the vehicle and no other  
person has driven the vehicle since he acquired it.